

Charter Transition Team Meeting
November 27, 2007
4:30 PM
Library Conference Room, 6th Floor

Attendance:

Members: Legislator Gary Bischoff, Chairman
Legislator Robert Parete - *excused*
Legislator Phil Terpening
Legislator Wayne Harris - *excused*
Dr. Gerald Benjamin, SUNY New Paltz
Marianne Collins, SUNY Ulster
Louis Klein, Attorney - *excused*
Staff: Administrator's Office – Arthur Smith
County Attorney's Office – Bea Havranek, Eric Stock
Legislative Office – Meg Dellay
Public: Tom Kadgen; John Mavretich; Renee Sachs – LWV;
Emily Johnson – LWV, Youth Board

Highlights:

- 1. Administrative Code/ Codification**
- 2. Recommendations from Jail Investigation Report**
- 3. Org Chart / Space Plan**
- 4. Other**

1. Administrative Code – Bea reviewed the most current DRAFT proposal of the Administrative Code dated 11/19/07. A color hard copy was mailed to each committee member last week. Bea pointed out the reasons for additions or changes on each page as noted in the comment boxes.

Following issues from the previous month were addressed:

- Definitions (p.6) – added definitions for “email, ex-officio, vacancy and writing.”
- Vice-Chairman in place of Chairman (p.15, A2-15, C) – length of absence clarified to read, “except as specifically authorized by the Legislature as provided herein.”
- Decorum (p.17, G, 3) – added as requested by members.
- Privilege of the Floor (p.18, J-1) – “by written request” is covered in definition of writing.

New issues arose:

- Jerry Benjamin suggested adding a definition for “inability to perform” – Bea will research state law; Jerry will research 1970's proposed constitutional amendment.
- Conflict of interest (p.28, A3-10) – Bea will add this provision to the positions of Commissioner of Finance and Comptroller. However, the newly reformed Ethics Law – if adopted – may address this issue.

Gary suggested a workshop in the near future to bring the Legislature up to date on the committee's progress. **All members agreed on this idea.** Gary will work on scheduling an Informational Session of the entire Legislature with public input in January/February 2008.

2. Recommendations from Jail Investigation Report – John Mavretich addressed committee members, with apologies from Tracey Bartels who was unable to attend. John cautioned that, with special Grand Jury sitting and litigation pending, some comments will be nonspecific. However, three salient points remain:

- Lack of accountability. Need to ensure free-flow of information. No structure to provide information to rank and file legislators.
- Procurement issues – awarding of contracts.
- Establish system of oversight capacity.

Other points:

- Minute taking is covered in Administrative Code, but not for tape-recorded minutes. See Rules for Committees (p.13, A2-13, D)
- Records retention – Jerry noted citizens must have access to records.
- Procurement Process – sometimes process runs well, but it did not with jail project. This needs to be addressed in Administrative Code.
- There was concern about RFP process and the latitude with professional services. Jerry concerned with timely review.
- A key concern was Change Orders to contracts. John suggests both county executive and legislators approve. Regarding the jail, change orders were sat on for months.
- Bea – approval of all change orders over specific amount, but how to get departments on board. Jerry pointed out departments report to legislators or County Exec.
- John – need to build into Admin code a piece about complacency and timely review.
- How many change orders in the past? Average in other counties is much lower when compared to Ulster County.
- Jerry pointed out a change order becomes a point of a contract, so then comes back to policy body.
- Gary stressed the threshold issue. An increased threshold would lead to decreased control and oversight, and lower threshold would cause additional work for purchasing.
- Bea – there is a reporting requirement of Commissioner of Finance and County Exec to the Legislature.
- Jerry suggested creation of a Capital Project booklet similar to the Personnel Handbook that SUNY uses.

Tom Kadgen asked committee members to let Tracey Bartels know which recommendations they will act upon. Jerry responded that he had an issue with the one about a referendum. John said that his recommendations and Tracey's were different.

John Mavretich will supply a memo detailing his recommendations to be distributed with minutes. ** see attached**

3. Org Chart/ Space Plan – postponed.

4. Other – Gary brought in response letter from Assemblyman Peter Lopez which was distributed. ** see attached **

Meeting adjourned at 6:30pm.

Next meeting scheduled for Tuesday, December 18, 2007 at 4:30pm, Library.